

Salem County Office of Archives and Records Management
Assisting county and municipal governments in maintaining records
in accordance with New Jersey public records laws.

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#### **CHAPTER 1: INTRODUCTION**

The purpose of this manual is to introduce records handlers to the methods available for controlling public records entrusted to their care. These pages can provide the tools needed to solve recordkeeping problems, increase efficiency and safety, preserve historical records, and save money.

A sound records management program has several goals. First, it should be media neutral. It is the information (content) that dictates the record.

Beyond that, the three high-level goals of the records management program are to:

- ✓ protect the record from alteration or destruction,
- ✓ preserve it for legal, fiscal, business or historical requirements,
- ✓ be able to produce that record upon request.

The manual presents information in logical order, with appropriate procedures outlined for ease of application. Appended materials include forms, statutory citations, administrative guidelines and a conceptual records retention schedule.

This publication does not suggest that all of the programs described should be implemented immediately or in their entirety, or in precisely the way indicated herein. The authors recognize that some agencies have their own in-house records management expertise, and that these professionals are responsible for ethically and legally upholding the law concerning public records.

Provided that mandated standards and legal requirements have been met, local agencies should always use procedures that are relevant to their organizational culture and techniques that are appropriate to their individual circumstances, especially administrative size.

Costs and benefits, budgetary levels, and the value of records should always be considered. By using appropriate techniques faithfully, local government will realize demonstrable benefits. While still fulfilling public responsibilities, they will avoid the cost of unnecessary space, equipment, supplies and labor for record-keeping operations.

Officials are encouraged to contact the Salem County Office of Archives and Records Management for clarification, additional detail, and to comment upon the usefulness of the manual. Because it is designed to be readily updated and revised, reports from officials who use the manual are not only sincerely welcome, but essential. Address questions or comments to: Salem County Office of Archives and Records Management, 90 Market Street, Salem, NJ 08079, or call: 856-935-7510 X8550.



#### **CHAPTER 2: RECORDS MANAGEMENT**

#### Purpose.

The purpose of this chapter is to assist offices to receive, manage and preserve all public records.

#### A Brief History of Records Management in New Jersey

Concern for the safekeeping of New Jersey's public records traces its beginnings back to 1760, when an act was passed to construct a building in each of New Jersey's twin colonial capitals, Burlington and Perth Amboy, to protect the records of the Provincial Secretary's (now Secretary of State's) Office. In 1795, these repositories were consolidated into a single building in Trenton, which had recently become the sole capital of the independent State of New Jersey.

Twentieth-century concern for safekeeping public records began in earnest with the creation of the Public Records Office in 1920. Most of the current functions of the central control of public records started there. By 1924 it was necessary for state, county, and municipal agencies to obtain written permission from the Public Records Office for records destruction.

The Destruction of Public Records Act, 1953, created the State Records Committee, and gave it the final authority involving public records. The State Records Committee consists of representatives of the state attorney general, state auditor, state treasurer, director of local government services in the Department of Community Affairs, and the director of the Division of Archives and Records Management in the Department of State. The division is the principal records management advisor to state, county, and municipal governments and serves as the administrative arm of the State Records Committee.

The Division of Archives and Records Management, Department of State, is composed of three bureaus: The Bureau of Archives and Records Preservation (commonly called the New Jersey State Archives), the Bureau of Records Management, and the Bureau of Micrographics and Alternative Records Storage.

#### Salem County Office of Archives and Records Management.

The Salem County Office of Archives and Records Management is hereby established as a Division in the Freeholder Public Works Committee under Resolution 2008-583. The Office shall be under the immediate supervision and management of the County Records Manager. The Public Works Superintendent shall have general administrative responsibility over the Office.

#### **Duties of the Office.**

The Office shall:

- Make plans for the possible future legal custody, control, management and preservation of all public records;
- Promote the efficient and economical administration of public records;



- Advise administration on the Open Public Records Act and related privacy laws;
- Advise local government agencies on matters relating to the creation, storage, duplication, preservation, transfer and disposal of public records;
- Encourage public awareness of the existence, value and use of public records and other historical resources relating to local government;
- Extend, with reasonable conditions, archival services to non-government organizations holding local government records;
- Advise agencies of any rights, limitations or restrictions imposed by law, regulation or court order which limit access to certain records or which permit access to certain records only after the removal of all personally identifiable data;
- Perform such other duties over public records as its mandates may require.

#### Powers of the Office.

The Office may:

- create plans that offer services to receive from any local government agency into permanent custody public records when the records are five years or more from the date of creation, unless the agency is required by State law, regulation or order of the court to retain custody of the records;
- provide inspection services of any public records under the control of any agency to assist with compliance with this manual or any New Jersey State regulations or policies promulgated;
- Recommend to any agency suggestions to comply with any requirements relating to preservation, security, transfer, and management of public records;
- Recommend temporary restrictions to local agencies access to fragile or rare public records until access thereto may be provided without any risk of loss, damage or destruction;
- Recommend an office procedure to certify archival records as true copies;
- Allow members of the public to use microfilm equipment or similar equipment to view public records in return for the payment of reasonable fees; or
- Issue guidance as best practices policies relating to the management, preservation, security, transfer, access, and disposal of public records and reasonable fees for research, duplication, and other services relating to public records. The policies



shall be consistent with applicable State laws and approved by the Salem County Board of Chosen Freeholders.

#### Legal title to public records, name.

All Salem County public records as recognized by the State of New Jersey records retention schedules are the exclusive property of the Salem County Board of Chosen Freeholders and shall not be transferred to any other party, unless otherwise authorized by the Freeholder Board, State law or an order of the court. The name "Salem County Office of Archives and Records Management" shall not be used by any other agency or person.

#### **Advisory Records Review Committee.**

An advisory Records Review Committee is hereby established by Resolution 2007-382 to advise the Salem County Office of Archives and Records Management on matters relating to the formulation and implementation of the Salem County records management program.

- The committee members shall be composed of senior administrative, constitutional officers and municipal committee recommended representatives appointed by the Board of Chosen Freeholders. Each member shall serve at the pleasure of the Board.
- The County Records Manager shall act as its chairperson.
- The committee shall offer the best practices in the development of a records retention and disposal program, management of filing/information retrieval systems, preservation/conservation of essential/permanent records, economical spaceeffective storage of inactive records, control over the creation/distribution of forms/report/correspondence, and management of micrographic/electronic/other records storage systems.



#### **CHAPTER 3: RECORDS STORAGE**

Under development. Recommended reading: <a href="https://www.tsl.state.tx.us/slrm/recordspubs/index.html">www.tsl.state.tx.us/slrm/recordspubs/index.html</a>

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**CHAPTER 4: ARCHIVES** 

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**CHAPTER 5: MICROGRAPHIC** 

Under development.

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**CHAPTER 6: FILE MANAGEMENT** 

Under development.

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#### **CHAPTER 7: ESSENTIAL RECORDS MANAGEMENT**

#### **Policy Overview**

The Salem County Records Management Policy Manual offers county departments economic and efficient methods to improve business processes in order to exceed the public's service expectations. The Essential Records Management Section is the first section presented for approval to provide county departments such specialized assistance. It is primarily recognized that each department is responsible for implementing their own records management program.

#### Section Introduction

Essential Records Management is the planning and implementation of strategies to protect and keep available essential records allowing uninterrupted departmental core services. This section aids in the maintenance of business process transparency during a calamity and subsequent recovery making it crucial to maintaining the public trust. Even as a standalone policy, essential records management is a cost justifiable public strategy being a self-insurance preserving a public trust.

#### **Objective of Protecting Essential Records**

The objective of essential records management is to prevent the loss of information, which is critical to the continuing operation of an organization in the most efficient and economic manner possible. The essential records program protects the public interest and ensures maintenance of individual rights.

#### **Liabilities Due to Loss of Essential Records**

Although only three to five per cent of most departments' records can be classified as essential, without this minimum number of records the daily business of an agency would stop and the public interest would be endangered because of:

- 1. Vulnerability to litigation,
- 2. Exposure to the unplanned expenses of financial settlements or loss of revenues,
- 3. Disruption of efficiency due to gaps in information, and
- 4. Breaks in the continuity of operations.

Although these potential dangers are similar to the risks posed by haphazard, unauthorized records destruction, losses that occur during a catastrophe carry an added burden because of the severe strain that a disaster places on staff and resources. An essential records management program is instituted to avoid these potential dangers.

#### The Process of Essential Records Management:

#### 1) Records Classification

Knowledge of record holdings is necessary before appropriate controls for essential records protection can be instituted. Analysis of record series is most easily accomplished during a routine records inventory conducted as a first step in developing a comprehensive records management program, or during a file audit used to organize active records. Records classification has been greatly simplified by NJDARM publication of records retention schedules for use by county government. These schedules are lists of what kind of records exist in a department, contents description, and listing of the prescribed time periods for which they should be kept in both active storage in their department of origin and semi-current storage at a records storage center.

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The records of each department identified by inventory or audit are matched to their corresponding retention schedules, and can be placed into four general categories:

- ✓ Nonessential Records are listed on a records retention schedule for routine destruction in accordance with statewide guidelines. Loss of these records presents no obstacle whatsoever to restoring daily business.
- ✓ **Useful Records**, if lost, might cause some inconvenience but could be easily replaced. Loss of these records does not present any real obstacle to restoring daily business.
- ✓ **Important Records**, although replaceable, is reproduced only at considerable expense of funds, time and labor. Loss presents aggravating but surmountable obstacles to resumption of operations.
- ✓ Essential Records are irreplaceable or simple copies do not have the same value as the originals. They are essential to the continuity of services during a calamity or the restoration of daily business if it has been interrupted. These records fall under emergency operating records and legal financial rights records. The County's essential functions need to be identified and their associated essential records series list needs to be developed. Sample county functions are noted in the table below:

SAMPLE COUNTY ESSENTIAL RECORDS									
Essential Function	Record Name	Retention Schedule	Record Series	Time Frame Needed	Special Handling				
Payroll	time/attendance	M100000	XXXXXX-XXXXX	Prior two weeks					
Payroll	payroll budget	M100000	XXXXXX-XXXXX	current year					
COOP/COG	OEM plan	M120000	XXXXX-XXXXX	latest version					
COOP/COG	Call list	M120000	XXXXX-XXXXX	latest version					
Personnel	Pension	M140000	XXXXX-XXXXX	entire file					
Personnel	training	M140000	XXXXX-XXXXX	entire file					
Personnel	disciplinary	M140000	XXXXX-XXXXX	entire file	confidential				
Public Health	tuberculosis	M150000	XXXXX-XXXXX	active clinic clients	highly confidential				
Public Health	Material Safety Data Sheets	M150000	XXXXX-XXXXX	entire file	immediate access				
		M160000							
		M170000							
		M180000							
		M190000							
		M200000							
		M210000							

#### 2) Protection Methods

Based on risk management planning, the three most commonly used ways to secure essential records are duplication and dispersal, on-site storage, and off-site storage:

1. **Duplication and Dispersal** — Many records can be adequately protected by simply distributing duplicate copies to one or more locations other than the central or primary building. Duplicates may be created in paper, microfilm or electronic. In choosing a format, considerations should include NJDARM regulations, volume, frequency of updates, storage requirements (especially any need for special environmental controls, e.g., original master negatives of microfilm require controlled temperature and humidity), equipment and power requirements, and costs and budgetary levels. Certain methods have clear-cut advantages, for example, computer output microfilm (C.O.M.) is particularly suited for storing large volumes of frequently updated computer runs. Care must be taken to maintain the provenance of the original document on the



duplicates in case the original is not available for reference. At present, funding via the NJDARM PARIS Grant program for the creation of electronic duplicates known as back filing mandates a "day forward solution."

Once duplicates have been created, they may be distributed or dispersed in a variety of ways. Records are often distributed to locations other than the agency's primary building as part of regular operating procedures. Local governments that use NJ DARM's microfilm production services have microfilm master copies stored at the New Jersey Records Storage Center. Should the county utilize in-house or contract computer services it should be verified that computer back-up tapes are stored at a different location. These dispersed records must be kept for their minimum retention periods and are available to appropriate officials.

In cases where essential records are not being dispersed as part of routine procedures, special measures could be adopted for distributing them solely for the purpose of protecting them. Use of this technique has practical limits imposed by the degree of care given to records by departments which have no specific need to receive them. Dispersal can be coordinated by OARM.

2. **On-site Storage** — the County urges each department to review the housing conditions of their essential records utilizing NJDARM regulations. OARM can provide written standards and suggestions for on-site essential records considerations including the analysis and improvement of buildings or facilities, equipment and supplies, as well as the institution of procedural controls.

#### Examples are:

- ✓ **Building considerations** include floor load capacity adequacy, lighting/ventilation, walls and doors fire ratings, smoke and fire alarms, sprinklers or other fire suppression systems, and eliminating such hazards as leakage and insects/vermin infestations.
- ✓ **Equipment considerations** include construction of fire-resistant vaults, or purchase of cabinets or safes that meet or exceed Underwriter Laboratories specifications. Underwriter Laboratories rates storage and filing equipment on the basis of interior temperature and humidity levels during various lengths of exposure to fire. As a general rule, paper begins to deteriorate at 350 degrees Fahrenheit with humidity greater than 65 percent, while the limits for magnetic tape, microfilm and photographs are considered to be 150 degrees Fahrenheit and 85 percent humidity.
- ✓ Procedural considerations include routinely updating essential records, prohibiting food/beverages/smoking in records areas, segregating combustible material and conducting periodic electrical/building/fire inspections. Another important procedure is the regular testing of an essential records program through simulations to ensure adequate functioning in the event of a genuine emergency. Exclusive reliance upon on-site essential records protection measures is not recommended because of the potential for total or near total destruction of a single location in a disaster.
- 3. **Off-site Storage** is a future County consideration and involves keeping essential records in a single location separate from the main buildings. An off-site storage center should be close enough for access, control and updating. Locations which may be considered include any suitable public buildings owned by a government agency which are reasonably secure.

The advantages of central, off-site storage include:

- ✓ **General effectiveness** It is less likely that an off-site storage facility will be affected by the same disaster that occurs to an agency's building.
- ✓ **Ease of retrieval** Unlike dispersal techniques where essential records may be distributed to a number of off-site locations, central off-site storage simplifies access,
- ✓ Ease of control The ability to incorporate the same design and procedural considerations for security, facility and equipment compatibility, as used in on-site storage, and



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✓ Ease of staffing — The ability to use trained records professionals to administer the facility.

#### 3) Program Staff

#### a) Departmental Records Coordinator

The County is developing a comprehensive records management program including these procedures for managing essential records. It is strongly recommended that each department appoint a records coordinator familiar with daily record-keeping to liaison with the County records manager

Familiarity with daily record keeping can be gained by reviewing existing records inventories and by interviewing departmental representatives' on their record keeping procedures. County departments' records inventories are on file in the OARM.

#### b) Essential Records Team

Departmental Records Coordinators should also familiarize themselves with this Essential Records Management policy and meet with other coordinators and OARM to identify when a record becomes essential, provide for its adequate protection and test the overall policy. Expertise in administration, finance, law, and records management should be considered in selecting team members.

#### c) Support Services

In addition to County OARM personnel, the State Division of Archives and Records Management (NJDARM), Bureau of Records Management, are available to assist with essential records management planning. The bureau provides assistance without charge. Records analysts are available to visit for on-site consultation by calling 609-530-3200, or writing: NJ Division of Archives and Records Management, 2300 Stuyvesant Avenue, P.O. Box 307, Trenton, NJ, 08625-0307.

#### 4) Communications

Because identifying essential records and selecting appropriate protection measures is necessary to prevent loss of critical information in the event of disaster, it is important for the OARM records manager to communicate policies/procedures to all departments and enlist their active participation and support.

Conducting periodic records management seminars for officials and staff will help them reacquaint themselves of the importance of essential records and apply the protective measures adopted by the County. This will make it easier to assemble or reconstruct critical files permitting government services to continue without interruption should a disaster occur.

#### **Summary**

Essential records management programs are instituted to prevent the loss of information critical to county daily operations to continue functioning during a calamity or to reestablish services afterward. An essential records management program begins by conducting a records inventory to gain knowledge of record holdings. Records should be classified into one of four categories: nonessential, useful, important and essential. Appropriate cost effective protective methods are chosen to safeguard essential records which include duplication/dispersal, on-site and off-site storage. Policies and procedures should then be communicated to reinforce evaluation and improvement.

#### Statutory Background: NJAC 15:3-2.5 Essential Records Program

**Note:** "vital" replaced with "essential" to not confuse with phrase "vital statistics" which are birth, marriage, death records.

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- (a) Purpose. This section prescribes policies and procedures for establishing a program for the identification and protection of essential records, those records needed by State agencies and authorities or its political subdivisions for continuity of operations before, during, and after emergencies, and those records needed to protect the legal and financial rights of State or local government and persons affected by State or local government activities. The records may be maintained on a variety of media including paper, magnetic tape or disk, photographic film, and microfilm. The management of essential records is part of an agency's continuity of operations plan designed to meet emergency management responsibilities.
- **(b)** Responsibilities for establishment and maintenance of a essential records program. Heads of State and local government agencies and authorities and/or their governing bodies are responsible for establishment and maintenance of a essential records program for the records of their agency, as defined in P.L. 1953, c.410 § 2 as amended by P.L. 1994, c.140, § 3 (N.J.S. 47:3-16), pursuant to provisions of the following State statute and rules:
- 1. <u>P.L. 1953, c.410</u>, "Destruction of Public Records Law (1953)," as amended by <u>P.L. 1994, c.140</u> (N.J.S. 47:3-15 et seq.);
- 2. N.J.A.C. 15:3-2.2(a), concerning procedures for requesting routine and special authorization for disposal of records; and
- 3. N.J.A.C. 15:3-4.4(d) and 5.5, concerning disaster planning and recovery.
- **(c) Terminology**. The words and phrases used in this section shall have the standard meaning in records management terminology as defined in N.J.A.C. 15:3-1.2, except the following words and phrases which apply to this section and shall have the designated meanings, unless the context clearly indicates otherwise:
- **"Contingency planning"** means instituting policies and procedures to mitigate the effects of potential emergencies or disasters on an agency's operations and records. Contingency planning is part of the continuity of operations planning.
- **"Cycle"** means the periodic removal of obsolete copies of essential records and their replacement with copies of current essential records, which may occur daily, weekly, quarterly, annually or at other designated intervals.

#### "Disaster" means:

- 1. Any natural or man-made catastrophe, including any hurricane, tornado, storm, high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, fire, explosion, or other catastrophe, caused by adverse or unusual weather conditions or human activity, that results in destruction of life or property; or
- 2. Pursuant to 44 CFR 9206.2(17), any fire, flood, explosion, or other catastrophe which in the determination of the President of the United States causes damage of sufficient severity and magnitude to warrant major disaster assistance in order to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.
- **"Emergency"** means a situation or an occurrence of a serious nature, developing suddenly and unexpectedly, and demanding immediate action. This is generally of short duration, for example, an interruption of normal agency operations for a week or less. It may involve electrical failure or minor flooding caused by broken pipes.



**"Emergency destruction"** means eliminating records under abnormal circumstances, as provided by law or regulations. These circumstances involve a state of emergency or disaster and also a continuing menace to life, health, or property.

"Emergency operating records" means that type of essential records essential to the continued functioning or reconstitution of an organization during and after an emergency. Included are emergency plans and directive(s), orders of succession, delegations of authority, staffing assignments, selected program records needed to continue the most critical agency operations, as well as related policy or procedural records that assist agency staff in conducting operations under emergency conditions and for resuming normal operations after an emergency.

"Legal financial rights records" means that type of essential records essential to the resumption or continuation of operations: the re-creation of the legal or financial status of an agency and the fulfillment of obligations to the public. Although only three to five percent of an agency's records are essential, there could be a liability situation if these records are lost, stolen, or destroyed. Examples include the current, regular updated information needed for daily activities such as: accounts receivable, master personnel listings, irreplaceable research or development data, original signed copies of major contracts or agreements, insurance policy information, municipal standing executive orders, and municipal ordinances and resolutions. These records were formerly defined as "rights-and-interests" records.

"National security emergency" means any occurrence, including national disaster, military attack, technological emergency, or other emergency, that seriously degrades or threatens the national security of the United States, as defined in Executive Order No. 12656, "Assignment of Emergency Preparedness Responsibilities."

"Off-site storage" means a facility other than an agency's normal place of business where essential records are stored for protection to ensure that the essential records are not subject to damage or destruction from an emergency or disaster affecting an agency's normal place of business. Any facility considered for off-site storage of essential records by State or local governments must meet standards established for storage of public records per N.J.A.C. 15:3-6.

"Records disaster prevention and recovery program" means a written and approved plan detailing how records will be handled in a disaster prior, during, and after in the recovery stage. Also includes interim operating procedures.

"Essential records" means records essential to the continued functioning or reconstitution of the State or local government during and after an emergency or disaster and also those records essential to protecting the rights and interests of the State or local government and of the individuals directly affected by its activities. Sometimes called essential records, they include both emergency operating and legal and financial rights records. Essential records considerations are part of an agency's records disaster prevention and recovery program.

"Essential records program" means the policies, plans, and procedures developed and implemented and the resources needed to identify, use, and protect the essential records needed to meet operational responsibilities under State or local government emergencies or other emergency or disaster conditions or to protect its rights to those of its citizens. This is a program element of an agency's emergency management function.

**"Essential records schedule"** means a detailed list identifying the essential records, their location, protection instructions, and method of protection in case the records were lost during an emergency or disaster.



- (d) Essential records program. The essential records program is conducted to identify and protect those records that specify how an agency will operate in case of emergency or disaster, those records essential to the continued operations of the agency during and after an emergency or disaster, and records needed to protect the legal and financial rights of the State or local government and of the persons affected by its actions. An agency identifies essential records in the course of contingency planning activities carried out in the context of the emergency management function. In carrying out the essential records program agencies shall:
- 1. Specify agency staff responsibilities;
- 2. Ensure that all concerned staff are appropriately informed about essential records;
- 3. Ensure that the designation of essential records is current and complete; and
- 4. Ensure that essential records and copies of essential records are adequately protected, accessible, and immediately usable.
- **(e) Emergency plans**. Essential records include emergency plans and related records that specify how an agency is to respond to an emergency as well as those records that would be needed to continue operations and protect legal and financial rights. Agencies should consider the informational content of records series and electronic records systems when identifying essential records. Only the most recent and complete source of the essential information needs to be treated as essential records.
- (f) Ensuring that retrieval procedures for essential records require only routine effort. Agencies shall ensure that retrieval procedures for essential records require only routine effort to locate needed information, especially since individuals unfamiliar with the records may need to use them during an emergency or disaster. Agencies also shall ensure that all equipment needed to read essential records or copies of essential records will be available in case of emergency or disaster. For electronic records systems, agencies also shall ensure that system documentation adequate to operate the system and access the records will be available in case of emergency or disaster.
- (g) Measures to ensure the survival of the essential records. Agencies shall take appropriate measures to ensure the survival of the essential records or copies of essential records in case of emergency or disaster. In the case of electronic records, this requirement is met if the information needed in the event of emergency or disaster is available in a copy made for general security purposes, even when the copy contains other information.
- (h) Duplication of essential records. The following pertain to duplication of essential records:
- 1. Computer backup tapes created in the normal course of system maintenance or other electronic copies that may be routinely created in the normal course of business may be used as the essential record copy.
- 2. For original paper records, agencies may choose to make digital images or microform copies. Standards for the creation, preservation and use of microforms are found in N.J.A.C. 15:3-3 as established pursuant to the provisions of N.J.S. 47:3-26 et al. as amended. Standards for the creation, use and preservation of digital images for public records are found in N.J.A.C. 15:3-4, Image Processing of Public Records, and in N.J.A.C. 15:3-5, Certification of Image Processing, as established pursuant to the provisions of P.L. 1994, c.140 (N.J.S. 47:3-26 et al. as amended).
- (i) Storage of essential records. The following pertain to storage of essential records:



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- 1. When agencies choose duplication as a protection method, the copy of the essential record stored offsite is normally a duplicate of the original record. Designating and using duplicate copies of original records as essential records facilitates destruction or deletion of obsolete duplicates when replaced by updated copies, whereas original essential records must be retained for the period specified in agency records disposition schedule.
- 2. The agency may store the original records off-site if protection of original signatures is necessary, or if it does not need to keep the original record at its normal place of business.
- 3. Any facility used for off-site storage of essential records by State or local governments shall meet standards established for storage of public records per N.J.A.C. 15:3-6, Storage of Public Records.
- (j) Storage of copies of essential records. Agencies need to consider several factors when deciding where to store copies of essential records, including:
- 1. Copies of emergency operating essential records need to be accessible in a very short period of time for use in the event of an emergency or disaster. Copies of legal and financial rights records may not be needed as quickly. In deciding where to store essential records copies, agencies shall treat records that have the properties of both categories, that is, emergency operating and legal and financial rights records, as emergency operating records.
- 2. Under certain circumstances, the State Records Storage Center and local government records storage centers may store copies of emergency operating and legal and financial rights records.
- i. The State Records Storage Center and local government records storage centers can store small volumes of such records, but may not be able to provide storage for large collections or ones requiring constant recycling of the essential records, except under reimbursable agreement.
- ii. Whenever State agency essential records are semicurrent, they are eligible for storage at the State Records Storage Center, provided that they meet all other storage criteria. However, many State agency essential records are active records, and therefore may not be stored at the State Records Storage Center. Other storage facilities, such as a commercial records center, should be sought for such records. (See definition of "semicurrent" in N.J.A.C. 15:3-1.2)
- iii. County and municipal agencies should contact their local records storage center or commercial records center for their storage criteria for essential records.
- iv. Any commercial records storage facility contracting with State or local agency or agencies for the storage and maintenance of essential records, regardless of their established retention schedules, must be in compliance with and operate according to the standards established for long-term or permanent records in N.J.A.C. 15:3-6, Storage of Public Records.
- 3. When using the State Records Storage Center for storing semicurrent essential records that are duplicate copies of original records, the agency must specify on the "Records Transfer Request" form that they are essential records (duplicate copies) and the medium on which they are maintained. The agency shall also periodically cycle (update) them by removing obsolete items and replacing them with the most recent version, when necessary. County and municipal agencies should contact their local records storage center for specific information about their policies and procedures.
- 4. State agencies that transfer permanent, original essential records into the physical and legal custody of the State Archives become the permanent legal responsibility of the Archives. This transfer of legal custody is a major distinction between the services provided by the State Archives and the State Records Storage Center:

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- i. In the State Records Storage Center, only physical custody passes from the agency of origin; legal ownership is not affected. The agency may request the return of its records at any time, and it alone controls access to those records.
- ii. In the State Archives, legal as well as physical custody passes from the agency of origin to the State Archives. Legal ownership is transferred to the State Archives to ensure permanent preservation of the record.
- 5. The transfer of records from any public agency and accessioning them into the custody of the State Archives shall be documented in an Accession Record, including signed forms and other documentation transferring physical and legal custody and ownership of all rights to the State Archives. County and municipal agencies should contact their local archives or historical society for specific information about their policies and procedures.
- **(k)** Disposition of original essential records. The following pertain to disposition of original essential records:
- 1. The disposition of original essential records is governed by State records retention schedules approved by the State Records Committee.
- 2. Retention schedules summarize information about individual record series and designate minimum lengths of time records must be held in active, semiactive or inactive storage. Retention schedules also designate when and how a record may be disposed.
- 3. A timely and consistent records disposition result in increases in safety and efficiency and decreases in recordkeeping expenses. Use of the Statewide disposal authorization process helps to eliminate inconsistent records destruction, thereby minimizing the likelihood of adverse legal, administrative, fiscal, and historical impact.
- 4. Retention schedules for copies of records, other than original records, created and maintained for the sole purpose of providing duplicate copies of records for a essential records program may, in some cases, have a separate retention period established by the State Records Committee, if applicable.
- 5. Emergency destruction of records, when determined to be necessary by the State Records Committee, shall be authorized by the same pursuant to P.L. 1953, c.410, § 2, "Destruction of Public Records Law (1953)" as amended by P.L. 1994, c.140, § 3 (N.J.S. 47:3-15 et al.), and N.J.A.C. 15:3- 2.2(a).



**CHAPTER 8: DISASTER RECOVERY** 

Under development. Use past studies and include appropriate sections here.



**CHAPTER 9: FORMS MANAGEMENT** 

Under development.

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**CHAPTER 10: ELECTRONIC RECORDS** 

Under development.

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#### **CHAPTER 11: AUDIO AND VISUAL RECORDINGS**

Under development.

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### CHAPTER 12: HEALTH & SAFETY, MOTOR VEHICLES, FIRE PREVENTION

Under development.



#### **CHAPTER 13: TOOLS/EQUIPMENT & WORK PRACTICES**

Under development.

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#### **CHAPTER 14: MEDIA COMMUNICATIONS**

Under development.

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#### **CHAPTER 15: REGULATORY AGENCIES REPORTING**

Under development.

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**CHAPTER 16: TRAINING** 

Under development.

#### **Training Objective**

GOAL: A training program will be developed in response to a needs assessment of countywide record keeping. Sponsored by the Salem County Office of Archives and Records Management (OARM) this program will center on records management policies with training solutions offered such as best practices for paper filing systems and integration with the electronic document management system (EDMS).

This program will identify County of Salem employee educational needs pertaining to records management to provide targeted training varying from formal classroom to individual workstation assistance to self paced automated training.

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#### **CHAPTER 17: DEFINITIONS**

Unless the context clearly requires otherwise, the term:

Back Filing: is the State approved process of creating electronic duplicates having the legal authority of the original document. NJDARM approves the process.

Day Forward Solution: is the State approved process of creating electronic documents from the present time into the future having the legal authority of the original document. NJDARM approves the process.

Disaster: is any sudden or unplanned calamitous event that causes a significant disruption in information systems and/or telecommunications systems or business function that significantly affects the operation of an organization.

Disaster Recovery/Continuity of Operations (COOP): are commonly used terms referring to the steps required to recover business functions and service following either a disaster or other event resulting in long term disruption of business activity.

Emergency Operating Records: include emergency plans and directives, orders of succession, delegations of authority, staffing assignments, selected program records needed to continue the most critical agency operations, as well as related policy or procedural records that assist agency staff in conducting operations under emergency conditions and for resuming normal operations after an emergency.

Essential Records: previously known as vital records, provide detailed direct evidence incurred by local governments of legal status, ownership, accounts receivable, obligations and holding of the public's personally identifiable information. These records contain information required to continue departmental functioning during a disaster, or to reestablish normal operations after a calamity has ended. Essential records are irreplaceable, and in some instances, maintaining their original form is the only means to allow legal admission as evidence.

Legal Financial Rights Records: (formerly known as "rights and interests" records) support the re-creation of the legal or financial status of an agency and the fulfillment of obligations to the public. These records are considered essential because they provide the legal basis for an agency's existence. Included in these records are those containing the public's personally identifiable information. Although only three to five percent of an agency's records are essential, there could be a liability situation if these records are lost, stolen, or destroyed.

New Jersey Division of Archives and Records Management (NJDARM): has statutory authority to ensure the security, integrity, and efficiency of record-keeping by state and local public agencies, and to preserve the rich documentary heritage of New Jersey and its people.

NJDARM Regulations: are contained in the New Jersey Administrative Code, Circular Letters and Executive Orders located at <a href="https://www.state.nj.us/state/darm/links/regulations.html">www.state.nj.us/state/darm/links/regulations.html</a>.

Personally Identifiable Information (PII): means information that identifies an individual, including an individual's Social Security number, name, address other than the five digit zip code, driver identification number, telephone number and e-mail address.

Provenance: is the legal attribution of original authority to an object such as a document. Loss of provenance can prevent legal admission of a document to court or loss of trustworthiness as a standard.

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Public Archives and Records Infrastructure Support (PARIS) Grant Program: awards competitive grants to county and municipal governments to support significant efforts in the management, storage and preservation of public records. Program overseen by NJDARM.

Public Records: means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings or other materials, regardless of physical form or characteristics, made, produced, executed or received by any agency in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its successor as evidence of the organization, functions, policies, or activities of the State or local government.

Risk Management: is a planning technique to identify the type and severity of calamities which could lower an agency's ability to continue services and implement strategies to prevent or minimize damage. This projection of possible calamities, along with an examination of costs of protection methods and budgetary levels, provides a basis for choosing options.

Salem County Office of Archives and Records Management (OARM): assists County departments' records are maintained in accordance with New Jersey's public records laws.

Vital Statistics: birth, marriage, death records recorded at the New Jersey municipal level. Considered part of a municipalities' essential records.

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**CHAPTER 18 TO 21: RESERVED** 

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